

# **Exhibit 1**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SHAUL LEVY,

*Plaintiff,*

v.

LAW OFFICES OF J. HENRY  
NIERMAN; J. HENRY NIERMAN;  
RECOVERY OF JUDGMENT LLC,

*Defendants.*

Case No. 17-cv-4022 (NSR)

**[Proposed] Default Judgment**

WHEREAS this action was commenced on May 30, 2017, by the filing of a Summons and Complaint;

WHEREAS copies of the Summons and Complaint were personally served on Defendants Law Offices of J. Henry Nierman and J. Henry Nierman on July 12, 2017, and affidavits of service having been docketed on August 28, 2017 (Dkt. Nos. 15-16);

WHEREAS a copies of the Summons and Complaint were served pursuant to New York Limited Liability Company Law § 303 on an agent of Defendant Recovery of Judgment LLC, to wit an Authorized Agent in the Office of the Secretary of State, of the State of New York, on July 7, 2017, and a proof of service having been filed on August 28, 2017 (Dkt. No. 17),

WHEREAS all three of the duly served defendants have failed to answer or otherwise move with respect to the Complaint, and the time for answering or otherwise moving with respect to the Complaint having expired, and Certificates of Default have been issued by the Clerk's office, it is

ORDERED, ADJUDGED AND DECREED: That the Plaintiff Shaul Levy shall receive a judgment against Defendant Law Offices of J. Henry Nierman, J. Henry Nierman and Recovery of Judgment LLC for liability on Plaintiffs claims for violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*, and New York General Business Law § 349;

It is FURTHER ORDERED that an inquest as to damages is unnecessary and that Mr. Levy is awarded \$4,000 in damages and \$9,718.64 in attorneys' fees and costs. The total amount of the judgment, inclusive of damages and attorneys' fees and costs shall be \$13,718.64.

Dated: January \_\_\_\_, 2018  
White Plains, New York

---

The Honorable Nelson Román  
United States District Judge